



**Office of the United States Attorney  
District of Arizona**

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**PRESS RELEASE**

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FOR IMMEDIATE RELEASE  
Friday, July 8, 2005

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**DOUGLAS, ARIZ. BORDER PATROL AGENT ARRESTED FOR  
BRINGING AN ILLEGAL ALIEN INTO THE U.S.**

TUCSON, Ariz. - Ephraim Cruz, 32, of Douglas, Ariz. was arrested today at the Tucson Sector Border Patrol Headquarters after a federal grand jury here returned a five-count indictment against the Senior Border Patrol Agent on Wednesday, July 6, 2005. He was released on his own recognizance after an initial appearance before Magistrate Hector C. Estrada late this afternoon.

The indictment alleges that on or about January 22, 2005, in the Douglas, Ariz. area, Cruz knowingly brought an illegal alien into the U.S. He was also charged with harboring, concealing, or shielding an illegal alien and with transportation of an illegal alien. Two other counts allege that Cruz failed to report the illegal entry and that he aided and abetted the entry of an illegal alien. The five counts violate Title 8, U.S. Code, Section 1324, and Title 18, U.S. Code, Sections 2 and 4.

A conviction for Title 8, U.S. Code, Section 1324, or Title 18, U.S. Code, Section 2, carries a maximum penalty of 10 years in prison, a \$ 250,000 fine or both. A conviction for Title 18, U.S. Code, Section 4 carries a maximum penalty of four years in prison, a \$ 250,000 fine or both. In determining an actual sentence, Judge Frank R. Zapata will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted Office of Inspector General, Department of Homeland Security. The prosecution is being handled by Cynthia R. Wood, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

CASE NUMBER: CR-05-1329  
RELEASE NUMBER: 2005-131

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